

SEALED

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

ARISMENDY GIL-PADILLA, a/k/a "Flow,"

Defendant

Criminal No. 19cr10425

Violations:

Counts One and Three: Felon in Possession of  
Firearms and Ammunition  
(18 U.S.C. § 922(g)(1))

Counts Two and Four: Distribution of and  
Possession with Intent to Distribute Cocaine  
(21 U.S.C. §§ 841(a)(1) and (b)(1)(C))

Count Five: Distribution of and Possession with  
Intent to Distribute 40 Grams or More of  
Fentanyl and Cocaine  
(21 U.S.C. §§ 841(a)(1), (b)(1)(B)(vi) and  
(b)(1)(C))

Firearm Forfeiture Allegation:  
(18 U.S.C. § 924(d); 28 U.S.C. § 2461(c))

Drug Forfeiture Allegation:  
(21 U.S.C. § 853)

INDICTMENT

COUNT ONE

Felon in Possession of Firearm and Ammunition  
(18 U.S.C. § 922(g)(1))

The Grand Jury charges:

On or about June 28, 2018, in Lawrence, in the District of Massachusetts, the defendant,

ARISMENDY GIL-PADILLA, a/k/a "Flow,"

knowing that he was previously convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting commerce, firearms and ammunition, that is:

- One (1) Taurus Millennium PT111 G2 9mm handgun, with serial number TJX61132;
- One (1) Taurus Millennium PT111 G2 9mm handgun, with serial number TJR44050; and
- Seventeen (17) rounds of 9mm ammunition.

All in violation of Title 18, United States Code, Section 922(g)(1).

COUNT TWO

Distribution of and Possession with Intent to Distribute Cocaine  
(21 U.S.C. §§ 841(a)(1) and (b)(1)(C))

The Grand Jury further charges:

On or about June 28, 2018, in Lawrence, in the District of Massachusetts, the defendant,

ARISMENDY GIL-PADILLA, a/k/a “Flow,”

did knowingly and intentionally distribute, and possess with intent to distribute, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT THREE

Felon in Possession of Firearms and Ammunition  
(18 U.S.C. § 922(g)(1))

The Grand Jury further charges:

On or about July 11, 2018, in Lawrence, in the District of Massachusetts, the defendant,

ARISMENDY GIL-PADILLA, a/k/a "Flow,"

knowing that he was previously convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting commerce, firearms and ammunition, that is:

- a Diamondback DB9 9mm handgun, with serial number YD3734;
- a Sig Sauer P290 9mm handgun, with serial number 26C059942;
- a Ruger LC9S 9mm handgun, with serial number 45108235;
- a Taurus .38 special revolver, with serial number KC95041;
- a Walther PPS 9mm handgun, with serial number AH0622;
- a Smith & Wesson SW9VE 9mm handgun, with serial number DUB1467;
- a Kahr CW9 9mm handgun, with serial number EI6577; and
- Eight (8) rounds of 9mm ammunition.

All in violation of Title 18, United States Code, Section 922(g)(1).

COUNT FOUR

Distribution of and Possession with Intent to Distribute Cocaine  
(21 U.S.C. §§ 841(a)(1) and (b)(1)(C))

The Grand Jury further charges:

On or about July 11, 2018, in Lawrence, in the District of Massachusetts, the defendant,

ARISMENDY GIL-PADILLA, a/k/a "Flow,"

did knowingly and intentionally distribute, and possess with intent to distribute, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT FIVE

Distribution of and Possession with Intent to Distribute  
40 Grams or More of Fentanyl and Cocaine  
(21 U.S.C. §§ 841(a)(1), (b)(1)(B)(vi) and (b)(1)(C))

The Grand Jury further charges:

On or about August 2, 2018, in Lawrence, in the District of Massachusetts, the defendant,

ARISMENY GIL-PADILLA, a/k/a, "Flow,"

did knowingly and intentionally distribute, and possess with intent to distribute, 40 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidiny] propanamide, also known as fentanyl, a Schedule II controlled substance, and a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(B)(vi) and (b)(1)(C).

FIREARM FORFEITURE ALLEGATION  
(18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c))

1. Upon conviction of one or more of the offenses in violation of Title 18, United States Code, Section 922(g)(1), set forth in Counts One and Three, the defendant,

ARISMENDY GIL-PADILLA, a/k/a “Flow,”

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), any firearm or ammunition involved in or used in any knowing commission of the offenses.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), as a result of any act or omission of the defendant --

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in Paragraph 1 above.

All pursuant to Title 18, United States Code, Section 924, and Title 28, United States Code, Section 2461.

DRUG FORFEITURE ALLEGATION  
(21 U.S.C. § 853)

1. Upon conviction of one of more of the offenses in violation of Title 21, United States Code, Section 841, set forth in Counts Two, Four and Five, the defendant,

ARISMENDY GIL-PADILLA, a/k/a, "Flow,"

shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such offenses; and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 21, United States Code, Section 853, as a result of any act or omission of the defendant --

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;


it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in Paragraph 1 above.

All pursuant to Title 21, United States Code, Section 853.

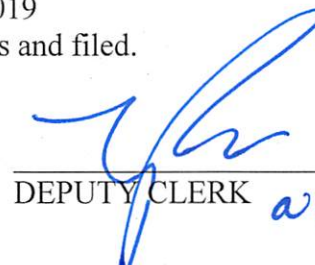


A TRUE BILL

  
FOREPERSON

  
COREY STEINBERG  
ASSISTANT UNITED STATES ATTORNEY  
DISTRICT OF MASSACHUSETTS

District of Massachusetts: NOVEMBER 6, 2019  
Returned into the District Court by the Grand Jurors and filed.

  
DEPUTY CLERK *at 2:15 PM*  
*11/6/19*